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ATTORNEY DOCKET NUMBER: 2002834-0222 (Bacterial Delivery DIV1)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Caplan et al.
Serial No.: 10/728,051
Filing Date: December 4, 2003
Title: MICROBIAL DELIVERY SYSTEM

Examiner: Huynh
Art Unit: 1644

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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December 22, 2005
Date
Signature
Kathy Hart Gagnon
Typed or Printed Name of person signing certificate

Sir:

TRANSMITTAL


Enclosed please find the following documents for filing in the above-referenced patent application:

1. Submission of Replacement Sheets (1 pg.);
2. Replacement Sheets (4 pp.); and
3. Return Postcard.

Please charge any fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully Submitted,
CHOATE, HALL & STEWART LLP

Date: December 22, 2005


C. Hunter Baker, M.D., Ph.D.
Registration Number: 46,533

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SUBMISSION OF REPLACEMENT SHEETS

In response to the Notice of Non-compliant Amendment (37 C.F.R. § 1.121) mailed by the U.S. Patent and Trademark Office on November 22, 2005 for the above-referenced patent application, Replacement Sheets (4 pages) are attached hereto containing revised Figures 1-4 that have been formalized in accordance with the requirements of 37 C.F.R. § 1.121(d). Applicant submits that no new matter is added by the revised Figures. Based on the above, Applicant respectfully requests that all outstanding objections to the drawings be withdrawn.

Although we believe that there are no additional fees due with this submission, the Commissioner is authorized to credit any overpayment or charge any deficiency to/from our Deposit Account No. 03-1721.

Respectfully Submitted,
CHOATE, HALL & STEWART LLP

Date: December 22, 2005


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